

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

In re: BERNARD L. MADOFF INVESTMENT SECURITIES LLC, <i>Debtor.</i>	Adv. Pro. No. 08-1789 (BRL) SIPA LIQUIDATION (Substantively Consolidated)
IRVING H. PICARD, Trustee for the Liquidation of Bernard L. Madoff Investment Securities LLC, <i>Plaintiff,</i> v. HSBC BANK PLC, <i>et al.</i> <i>Defendants.</i>	Adv. Pro. No. 09-1364 (BRL)

NOTICE OF MOTION OF HERALD FUND SPC TO WITHDRAW THE REFERENCE

PLEASE TAKE NOTICE that, pursuant to Fed. R. Bankr. P. 5011 and Rule 5011-1 of the Local Rules of the United States Bankruptcy Court for the Southern District of New York, upon the accompanying Memorandum of Law in Support of Herald Fund SPC's Motion to Withdraw the Reference, dated September 19, 2011; the Declaration of David S. Flugman dated September 19, 2011, and the exhibits thereto; and all of the papers filed and proceedings had herein, Defendant Herald Fund SPC ("Herald Fund") respectfully hereby moves the United States District Court for the Southern District of New York, pursuant to 28 U.S.C. § 157(d), to withdraw the reference of this adversary proceeding to the Bankruptcy Court.

Herald Fund has made no prior request to this Court or to any other court for the relief requested by this Motion.

WHEREFORE, Herald Fund SPC respectfully requests that the Court enter an order granting the relief requested herein, and such other and further relief as the Court deems just and appropriate.

Dated: New York, New York
September 19, 2011

Respectfully submitted,

HERALD FUND SPC

By its counsel,

/s/ Joseph Serino, Jr.

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